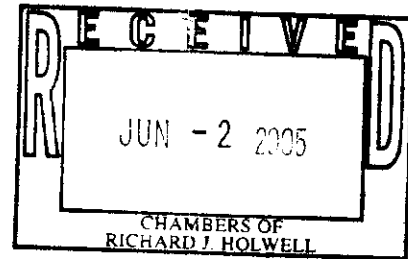


FILED 6/3/05

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



\_\_\_\_\_  
Isidore MENDELOVITZ, Derivatively and On  
Behalf of Nominal Defendant Express Scripts, Inc.,

Plaintiff,

- against -

Civil Action No. 04 Civ. 8610 (RJH)

Gary G. BENANAV, Frank J. Borelli, Nicholas J.  
LaHowchic, Thomas P. Mac Mahon, John O. Parker,  
George Paz, Samuel K. Skinner, Seymour Sternberg,  
Barrett A. Toan, and Howard L. Waltman,

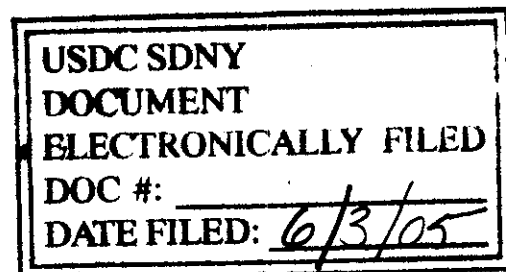
Defendants,

- and -

Express Scripts, Inc., a Delaware Corporation,

Nominal Defendant.

**NOTICE OF VOLUNTARY  
DISMISSAL OF ALL CLAIMS  
AGAINST ALL PARTIES**



Pursuant to Federal Rule of Civil Procedure 41(a)(1)(i), Plaintiff hereby

voluntarily dismisses all claims in this action against all defendants, without prejudice, with no  
award of costs or fees.

Dated: New York, New York  
May 26, 2005

GAINEY & McKENNA

By: Thomas J. McKenna  
Thomas J. McKenna (TM-7109)  
485 Fifth Avenue  
New York, New York 10017  
Telephone: (212) 983-1300

*The clerk of the court is  
directed to clerk this case.*

Attorneys for Plaintiff

**SO ORDERED:**

[Signature]  
U.S.D.J.  
6/2/05